

December 2, 2008

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Re: *In the Matter of Commissioner of Labor & Industry v. Westurn Cedar Supply, Inc.*; OAH Docket No. 7-1901-19904-2

Dear Counsel:

Please allow this letter to summarize the Prehearing Conference conducted in this matter on November 17, 2008. The following procedural schedule was agreed upon:

- January 20, 2009 – Discovery deadline.
- January 30, 2009 – Deadline for filing Dispositive Motions.
- February 24, 2009 – Deadline for exchange of witness lists, summaries of testimony of each witness, exhibit lists, and copies of exhibits. Please send a courtesy copy of these materials to the Administrative Law Judge.
- Tuesday, March 3 and Wednesday March 4 (if necessary), 2009 – Evidentiary Hearing.

It was noted during the Prehearing Conference that Westurn Cedar Supply, Inc., had not yet filed an Amended Answer, in response to the Department's Amended Complaint. Counsel for the Department agreed to waive the 20-day deadline for filing of an Amended Answer. It is noted that the Administrative Law Judge received a copy of the Amended Answer, along with Mr. Massie's Notice of Appearance, on November 20, 2008.

Thank you for your cooperation. If you have not settled this matter before then, I look forward to seeing you at the Evidentiary Hearing.

Very truly yours,

/s/ Richard C. Luis
RICHARD C. LUIS
Administrative Law Judge

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